

Serial No.: 10/632,061  
Examiner: Chris E. Simmons  
Group Art Unit: 1612

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert E. Richard et al. Art Unit: 1612  
Serial No.: 10/632,061 Examiner: Chris E. Simmons  
Filed: July 31, 2003 Confirmation No.: 9972  
Docket No.: 02-321  
Title: IMPLANTABLE OR INSERTABLE MEDICAL DEVICES CONTAINING ACRYLIC COPOLYMER FOR CONTROLLED DELIVERY OF THERAPEUTIC AGENT

Via EFS WEB  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Electronic Transmission  
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I hereby certify that this correspondence and any document referenced herein are being electronically filed with the USPTO via EFS-Web on January 28, 2009.

Nancy Joyce Simmons  
(Printed Name of Person Sending Correspondence)

/nancy joyce simmons/  
(Signature)

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

This response is submitted in reply to the Office Action mailed October 28, 2008, having a time for response of January 28, 2009. This Amendment and Response is timely filed. While no fees are believed to be due as a result of this Amendment and Response, if any fees are due authorization is hereby given to charge Deposit Account 50-1047. Please enter the following amendment and remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.